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December 9, 2024

Via CM/ECF

The Honorable Margaret M. Garnett
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, NY 10007

Re: *fuboTV Inc., et al. v. The Walt Disney Company, et al.*, No. 24-cv-1363

Dear Judge Garnett:

I write on behalf of Plaintiff fuboTV Inc. (“Fubo”) in advance of the December 13, 2024 argument on Defendant Fox Corporation’s Motion to Sever Claims and Transfer Venue. *See* Dkt. 306.

In light of the Court’s questions in its November 20 order regarding “the import of California law” on issues of contractual interpretation, *see* Dkt. 361 at 1, Fubo has attached to this letter as Exhibits A and B, two California cases addressing the interpretation of contractual language: *Rice v. Downs*, 248 Cal. App. 4th 175 (Ct. App. 2016), *as modified on denial of reh’g* (June 23, 2016), *as modified* (June 28, 2016); and *Fischer v. Superior Ct. in & for Los Angeles Cnty.*, 105 Cal. App. 466 (Ct. App. 1930). Fubo may reference these cases at the December 13 hearing and respectfully submits them to the Court and the parties in advance of that hearing.

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Respectfully submitted,

/s/ Andrew C. Shen

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Cc: All Counsel of Record (via CM/ECF)
with Enclosures